

Attorney Docket: 00099
U.S. Application No. 09/709,038 Examiner NEURAUTER, Art Unit 2143
Response to July 6, 2007 Final Office Action

REMARKS

In response to the final Office Action dated July 6, 2007, the Assignee respectfully requests continued examination and reconsideration based on the above amendments and on the following remarks.

Claims 1, 3-4, 6-12, 14-29, and 31-47 are pending in this application. Claims 2, 5, 13, and 30 have been, or were previously, canceled without prejudice or disclaimer.

Rejection of Claims over *Armstrong*

The Office finally rejected claims 1, 3-4, 6-12, 14, 16-19, 21-29, and 31-47 under 35 U.S.C. § 103 (a) as being obvious over U.S. Patent 6,807,423 to Armstrong, *et al.*

These claims, however, are not obvious over *Armstrong*. These claims recite, or incorporate, features that are not taught or suggested by *Armstrong*. Independent claim 1, for example, recites "translating the second user's profile information into a code number" (emphasis added). Support for these features may be found in the as-filed application at page 3, lines 1-5. Independent claim 1 also recites "retrieving the second user member's code number and using the code number as a pointer to retrieve the second user's profile information" (emphasis added). Support for these features may be found in the as-filed application at page 14, lines 1-2 and at page 14, lines 17-20. Independent claim 1 is reproduced below, and independent claims 12, 24, 37, and 43 recite similar features.

1. A method for presenting presence information to a first user, comprising:
 - storing profile information associated with a second user, with the second user's profile requiring a password to access the profile information;
 - translating the second user's profile information into a code number;
 - exchanging the second user's code number and password with the first user, thus
 - allowing the first user to access the second user's profile information;
 - receiving a request to initiate contact with the second user;

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retrieving the second user member's code number and using the code number as a pointer to retrieve the second user's profile information;
retrieving presence information of the second user indicating the second user's presence at a plurality of contact devices; and
presenting the second user's presence information to the first user, the presence information indicating the second user's presence at the plurality of contact devices.

Armstrong does not obviate all these features. *Armstrong* monitors the presence of a "watched party," and each "watched party" is given a unique identifier. See U.S. Patent 6,807,423 to *Armstrong, et al.* at column 6, lines 5-7. *Armstrong* has been thoroughly discussed in the record, so no further explanation is necessary. Still, though, *Armstrong* fails to teach or suggest many of the features recited by the independent claims. *Armstrong*, for example, is entirely silent to "translating the user's profile information into a code number." The patent to *Armstrong, et al.* is completely silent to any translation of profile information into a random and unique code number. *Armstrong* also fails to teach or suggest "retrieving the member's code number and using the code number as a pointer to retrieve the member's profile information." Even though *Armstrong* gives each watched party a unique identifier, *Armstrong* fails to disclose or suggest any mechanism for using that unique identifier "as a pointer to retrieve the member's profile information." As *Armstrong* is silent to at least these claimed features, *Armstrong* cannot obviate independent claims 1, 12, 24, 37, and 43.

Claims 1, 3-4, 6-12, 14, 16-19, 21-29, and 31-47, then, are not obvious over *Armstrong*. Independent claims 1, 12, 24, 37, and 43 recite many features that are not taught or suggested by *Armstrong*. The dependent claims incorporate these features and recite additional features. One of ordinary skill in the art, then, would not think that claims 1, 3-4, 6-12, 14, 16-19, 21-29, and 31-47 are obvious. The Office is respectfully requested to remove the § 103 (a) rejection of these claims.

Rejection of Claims over *Armstrong* & *Luzzetti*

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Claims 15 and 20 were rejected under 35 U.S.C. § 103 (a) as being obvious over *Armstrong* in view of U.S. Patent 6,714,519 to Luzzetti *et al.* These claims depend from independent claim 12 and incorporate the same distinguishing features. As both *Armstrong* and *Luzzetti* have been thoroughly discussed in the record, no further discussion is necessary. Still, the proposed combination of *Armstrong* with *Luzzetti* fails to teach or suggest many of the features recited by independent claim 12. *Armstrong* with *Luzzetti*, for example, is entirely silent to “*translating the user’s profile information into a code number*” and “*retrieving the member’s code number and using the code number as a pointer to retrieve the member’s profile information.*” As the proposed combination of *Armstrong* with *Luzzetti* is silent to at least these claimed features, one of ordinary skill in the art would not think that claims 15 and 20 are obvious. The Office is respectfully requested to remove the § 103 (a) rejection of these claims. .

If any issues remain outstanding, the Office is requested to contact the undersigned at (919) 469-2629 or scott@scottzimmerman.com.

Respectfully submitted,



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